

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,) CASE NO. CR06-319-JLR
)
Plaintiff,)
)
v.)
) DETENTION ORDER
HUNG HUYNH,)
)
Defendant.)
_____)

Offense charged:

Conspiracy to Distribute Marijuana; Criminal Forfeiture

Date of Detention Hearing: Initial Appearance, October 25, 2006

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which defendant can meet will reasonably assure the appearance of defendant as required and the safety of other persons and the community.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

(1) Defendant has been indicted for Conspiracy to Distribute Marijuana. He made his

01 initial appearance in the Eastern District of Washington, where he was ordered detained. Based
02 on that order, defendant does not contest detention.

03 (2) The defendant is a native and citizen of Vietnam. He states that he is a permanent
04 resident of the United States. His father resides in Vietnam, with whom the defendant is in
05 contact. Other family members, including his mother and stepfather, reside in Spokane,
06 Washington. Some conflicting information was provided to Pretrial Services in Spokane regarding
07 the defendant's current residence address. The case agent indicates that the defendant has access
08 to funds which would enable him to flee to Vietnam. He is not currently employed.

09 (3) The defendant's prior criminal history includes several failures to appear. He has
10 an outstanding misdemeanor warrant and felony conviction which is pending his self-report to
11 serve the sentence.

12 (4) The defendant poses a risk of nonappearance due to lack of ties to this District,
13 family ties to Vietnam, prior failures to appear and a pending felony sentence, and conflicting
14 residence information. He poses a risk of danger due to criminal history.

15 (5) There does not appear to be any condition or combination of conditions that will
16 reasonably assure the defendant's appearance at future Court hearings while addressing the danger
17 to other persons or the community.

18 It is therefore ORDERED:

19 (1) Defendant shall be detained pending trial and committed to the custody of the
20 Attorney General for confinement in a correction facility separate, to the extent
21 practicable, from persons awaiting or serving sentences or being held in custody
22 pending appeal;

01 (2) Defendant shall be afforded reasonable opportunity for private consultation with
02 counsel;

03 (3) On order of a court of the United States or on request of an attorney for the
04 Government, the person in charge of the corrections facility in which defendant is
05 confined shall deliver the defendant to a United States Marshal for the purpose of
06 an appearance in connection with a court proceeding; and

07 (4) The clerk shall direct copies of this Order to counsel for the United States, to
08 counsel for the defendant, to the United States Marshal, and to the United States
09 Pretrial Services Officer.

10 DATED this 25th day of October, 2006.

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12 Mary Alice Theiler
13 United States Magistrate Judge
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